

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: Carlo F. Galluccio III, Planner I

SUBJECT: Resolution

AFFECTED DISTRICT: 3

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "THE RABBI'S PLAT," AND PROVIDING AN EFFECTIVE DATE. (DG 5-1-09, Chabad Lubavitch, 10601 Stirling Road)

REPORT IN BRIEF: The petitioner requests approval to amend the recorded restrictive note on the plat known as "The Rabbi's Plat," FROM: This plat is restricted to 7,000 square feet of Temple Use. Other Temple-related uses such as day care or pre-school are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. TO: The proposed note would be restricted to 20,000 square feet of Temple Use (2,124 square feet existing and 17,876 square feet proposed). Other Temple-related uses such as day care, pre-school or everyday school are not permitted without the approval of the Board of County Commissioners who shall review the address these uses for increased impacts.

Staff finds the proposed plat amendment consistent with the existing and future use of the subject site. The Town Engineer reviewed a traffic statement with this request and has no objection.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution; Justification letter; Plat; Note Amendment; Traffic Statement; Future Land Use Plan Map; and Zoning Site Map

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
APPROVING A DELEGATION REQUEST TO CHANGE THE
RESTRICTIVE NOTE ON THE PLAT KNOWN AS "THE RABBI'S
PLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "The Rabbi's Plat" was recorded in
the public records of Broward County in Plat Book 162, Pages 41, Broward County
Records; and

WHEREAS, the owner desires to amend the restrictive note associated with said
plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this
amendment prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the
proposed amendment to the "The Rabbi's Plat" (Plat Book 162, Pages 41, Broward
County Records) being specifically described in the exhibits attached thereto.

SECTION 2. Any improvements required to satisfy Transit Oriented Concurrency
should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and
adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2009.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2009.

THE RABBI'S PLAT

A REPLAT OF A PORTION OF
TRACT 40, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1,
PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 31,
TOWNSHIP 30 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA

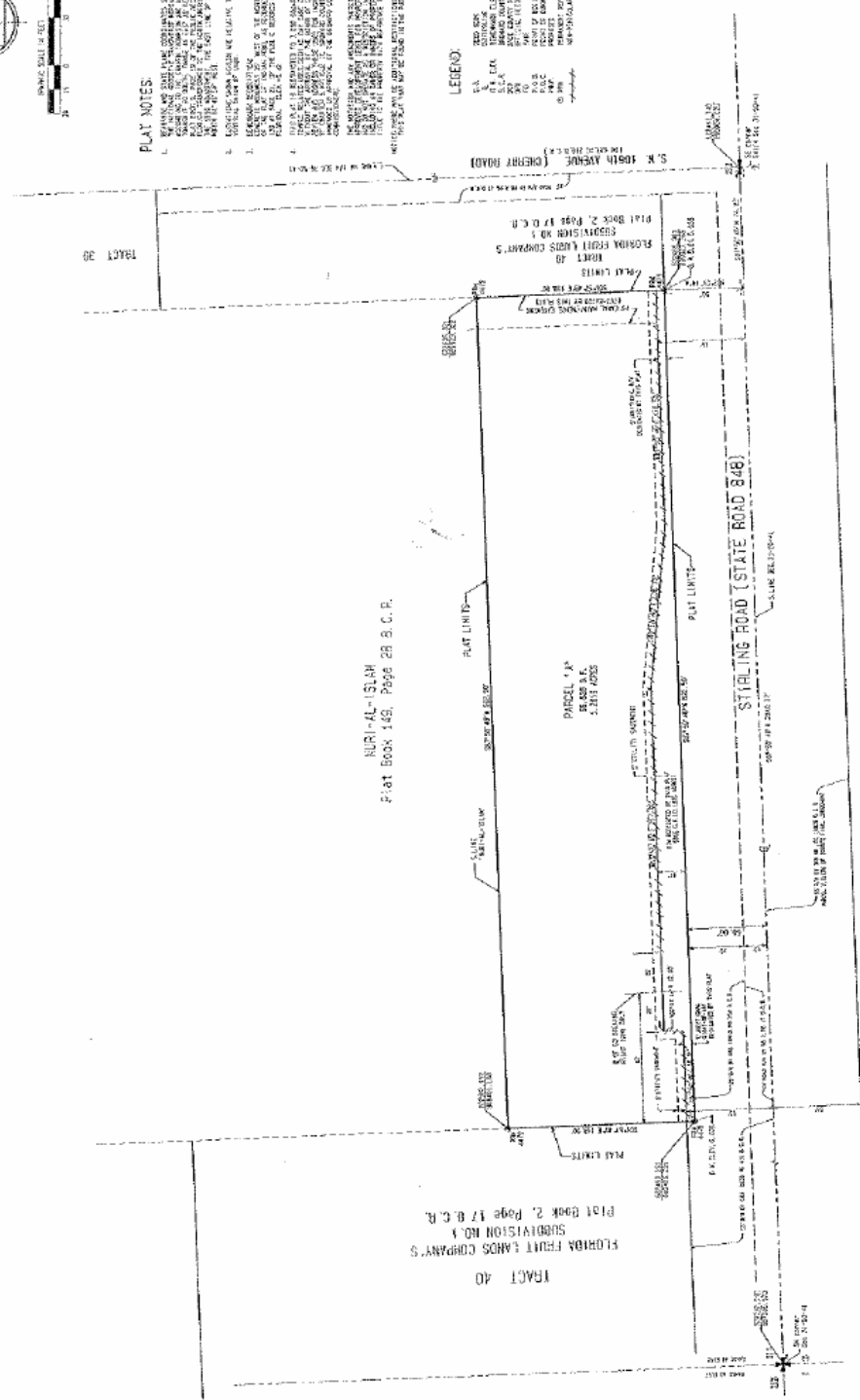
THIS INSTRUMENT PREPARED BY
berry & calvin
ENGINEERS, SURVEYORS & PLANNERS
1000 N. W. 10th St., Suite 100
MIAMI, FL 33136



PLAT NOTES

1. THE PLAT IS A REPLAT OF A PORTION OF TRACT 40, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 31, TOWNSHIP 30 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA.
2. THE PLAT IS A REPLAT OF A PORTION OF TRACT 40, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 31, TOWNSHIP 30 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA.
3. THE PLAT IS A REPLAT OF A PORTION OF TRACT 40, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 31, TOWNSHIP 30 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA.
4. THE PLAT IS A REPLAT OF A PORTION OF TRACT 40, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 31, TOWNSHIP 30 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA.

- ## LEGEND
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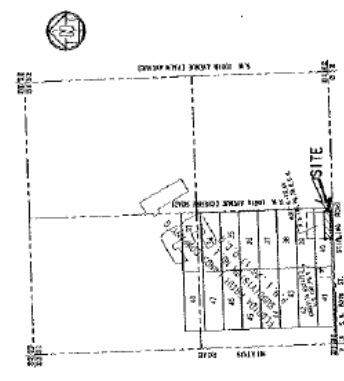


THE RABBI'S PLAT

CEN97-143241

THIS INSTRUMENT PREPARED BY:
berry&calv
ENGINEERS SURVEYORS
2 PARKSIDE BLVD., SUITE 100, MELBOURNE, FL 32905
TELEPHONE (407) 325-7791 FAX (407) 325-8001
SEPTEMBER 1995

A REPLAT OF A PORTION OF
TRACT 40, *FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1*,
PLAT BOOK 2, PAGE 17, DADE COUNTY RECORDS, SECTION 32,
TOWNSHIP 50 SOUTH, RANGE 41 EAST, BREVARD COUNTY, FLORIDA



BROWARD COUNTY PLANNING COUNCIL

THIS PLAT COMPLETES WITH THE JOURNAL OF SHERBORN COUNTY PLANNING COUNCIL OF THE ABOVE DATE AND IS APPROVED AND ACCEPTED FOR RECORD THIS 11TH DAY OF MARCH, 1962.

BY  ADMINISTRATOR OF CDD/PLC

BROWARD COUNTY ENGINEERING DIVISION
THIS PLAN IS APPROVED AND ACCEPTED FOR RECORD.

BRITISH AMERICAN TRADING CO. LTD. DATE 2-20-77
EMILIS V. LITVINSON
COUNTY CLERK OF
FLORIDA P. O. BOX NO. 4423
TALLAHASSEE, FLORIDA 32309-0423

BROWARD COUNTY FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT
COUNTY RECORDS DIVISION - RECORDING SECTION

BROWARD COUNTY FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT
COUNTY RECORDS DIVISION - MINUTES SECTION

SUPERVISOR'S CERTIFICATION

CENTRAL BROWARD DRAINAGE DISTRICT
THIS PLAT WAS APPROVED BY THE CENTRAL BROWARD DRAINAGE DISTRICT ON THE
FOLLOWING DATES:
BY: [Signature] DATE: 10/25/01
DISTRICT ENGINEER
DATE: 10/25/01 DATE: 10/25/01

ACKNOWLEDGEMENT

THE PROSECUTION INSTRUMENT WAS DOWNGRADED BECAUSE OF THIS ⁵ DAY OF
SUSPENSE. IT HAD BEEN ARGUED AS A RESULT OF THE DIFFERENCES IN
EVIDENCE. MR. [REDACTED] A FUGITIVE INVESTIGATION IN THE
COMPETITION HE IS PERSONALLY KNOWN TO ME AND DID NOT TAKE AN OATH.

MORTGAGEE'S CONSENT :

MORTGAGEE'S CONSENT : KNOW ALL MEN BY THESE PRESENTS THAT SHERMAN AND SHERMAN ASSOCIATES, P.S.A., OWNER AND HOLDFEE OF THE CERTAIN MORTGAGE DEEDS, IN THE OFFICIAL

IN KENNETH WILKINSON, THE UNDESIGNED MAN WORTHINGTON GETS HIS HANDS AND THE COMPROMISE SOCIETY AFFILIATED THROUGH THIS COUNTRY OF THE AMERICAN PEOPLE. THE COMPROMISE SOCIETY AFFILIATED THROUGH THIS COUNTRY OF THE AMERICAN PEOPLE.

OF THE ATTACHED PLAY OF "THE TROUBLE WITH A TROUBLE" ARE TO THE BEST OF THE
AS SHOWN HEREIN.

IN KINDNESS REQUEST, THE UNDERSIGNED HAS REQUESTED SET HIS NAME AND THE
CORRESPONDING ADDRESS OF THE PLAYERS OF "THE TROUBLE WITH A TROUBLE"
SACRILEGIOUSLY AND UNLAWFULLY TO THE
BY *Robert J. Smith*
AUGUST 2, 1964

CENTRAL BACKWARD
THIS PLAT WAS APPROVED
FOLLOWING DATE
BY: J. B. ...
SUPERVISOR

CENTRAL BROWARD DRAINAGE DISTRICT
THIS PLAT WAS APPROVED BY THE CENTRAL BROWARD DRAINAGE DISTRICT ON THE
FOLLOWING DATES:
BY: [Signature] DATE: 10/25/07
BY: [Signature] DATE: 10/25/07
BY: [Signature] DATE: 10/25/07

BR. *W. J. [Signature]*
BRECHER, A.
PROFESSOR
STATE OF FL.

BY James M. Hester DATE 1-12-76
 SPECIAL AGENT
 INSPECTION, BUREAU AND
 FIELD OFFICES
 U.S. DEPARTMENT OF JUSTICE

The Rabbi's Plat (PB 162, Page 41)

Justification Letter for Delegation Request to Amend Plat Note

The site currently houses a 2124 square foot modular building. Chabad Lubavitch of Southwest Broward is preparing plans to site plan and construct permanent facilities in which to serve their congregation. The first step in this process is to amend the restricting note on the plat. The plat is currently restricted to 7000 square feet of Temple Use.

Chabad Lubavitch is ready to submit for site plan approval as the plat note amendment advances through the approval process. Plans call for approximately 5132 square feet of Sanctuary Building (2 levels) and 11,819 square feet of Social Hall/Administrative Offices and Meeting Rooms (2 levels). This totals 16,951 square feet. The proposed note is to permit up to 20,000 square feet to allow for Broward County interpretation of proposed a plaza and colonnade, and as a cushion for minor plan changes or expansions in the future. The proposed note has been reviewed with staff at Broward County Development Management.

At the time the parcel was platted it was subject to securing road impact fees prior to plat recordation. Thus at that time 7000 square feet was proposed to realistically serve the congregation in their temporary facilities, while keeping the impact fee to a reasonable level. The road impact fees for the 7000 square feet were paid. Only the additional square footage proposed will be subject to Transit Concurrency Impact Fees at the time of building permit review. In addition, the plat required off-site improvements (turn lane) was constructed. Thus this property is ready to be developed in a permanent nature and the delegation request to amend the plat note is the first step in the approval process.

Existing Note:

This plat is restricted to 7000 square feet of Temple Use. Other Temple-related uses such as day care or pre-school are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Proposed Note:

This plat is restricted to 20,000 square feet of Temple Use (2124 square feet existing and 17,876 square feet proposed). Other Temple-related uses such as day care, pre-school or everyday school are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

The Rabbi's Plat Delegation Request Traffic Statement

The Rabbi's Plat was recorded with a restricting note of 7000 square feet of Temple Use. A delegation request to increase the square footage to 20,000 square feet was recently filed with the Town of Davie. A proposed site plan will soon be filed by Chabad Lubavitch of Southwest Broward that will indicate approximately 16,000 to 17,000 square feet of building. The additional square footage on the note amendment is to allow for Broward County interpretation of plans at building permit stage and or minor expansion in the future.

When the plat was recorded, the plat was vested for road concurrency and impact fees were satisfied for the original 7000 square feet. Therefore to assess the impact of the increased square footage, the following formula is used by Broward County Development Management:

$13,000 \text{ square feet} / 1000 = 13 \times 0.66^* = 8.58 \text{ PM PK HR Trips.}$

*Church rate per 1000 square feet

Broward County uses a radius of one (1) mile when modeling the impacts for this type of land use. The attached exhibit map identifies the traffic ways within a one (1) mile radius of the Rabbi's Plat, which is located at the NW corner of Stirling Road and 106 Avenue. The map further exhibits the current level of service (LOS), the capacity, the current volume, and the volume to capacity ratio (V/C) for segments within the radius, as provided by the Metropolitan Planning Organization (MPO). For concurrency definition purposes, an acceptable level of service is LOS "D". This map indicates that all the segments, with the exception of SW 100 Avenue, currently function and will continue to function at a LOS "B" or LOS "C" in the future (2030), regardless of the impact from this delegation request.

As for SW 100 Avenue, according to the data from the MPO, this segment between Stirling and Griffin Roads does not meet the acceptable level of service "D" at this time. This is due to it being a remnant two lane undivided facility, while the segments to the north and south have been four lane divided facilities for years (Nob Hill and Palm). However, the impact of the delegation request does not negatively impact this road (3% threshold impact) nor cause it to drop below the acceptable LOS. Additionally, this segment has been programmed and funded for widening to four lanes by Broward County (project # 5322). Design by EAC Consulting Engineers is nearly complete and construction should commence within the next year which will bring the segment up to an acceptable level of service prior to build-out of the temple.

Engineering
Construction Engineering
& Inspection
Municipal Engineering
Transportation Planning
& Traffic Engineering
Surveying & Mapping
Planning
Landscape Architecture
& Environmental Services
Construction Services
Indoor Air Quality
Data Technologies
& Development
Emergency Management
Services
Building Code Services

1800 Eller Drive, Suite 600
Fort Lauderdale, FL 33316
Phone: 954.921.7781
Fax: 954.921.8807
www.calvin-giordano.com

<p/projects/09-2354/planning/submittals and forms/The Rabbi traffic Statement.docx>

Fort Lauderdale

West Palm Beach

Orlando

Fort Pierce

Homestead

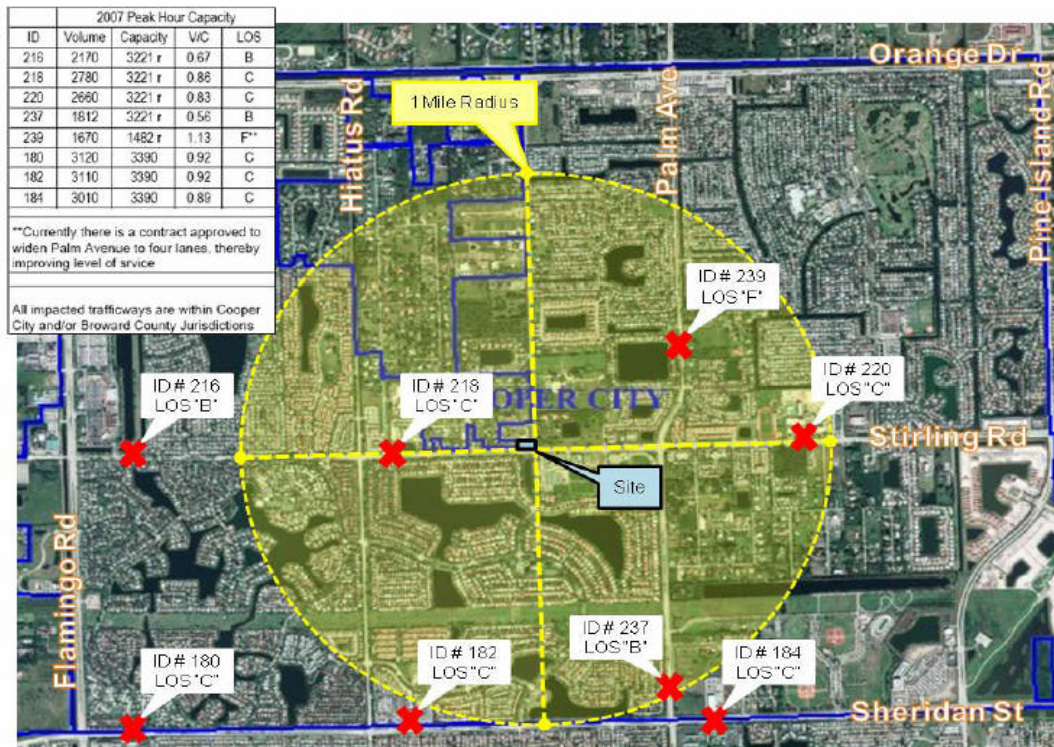
Furthermore, these roads are all within the jurisdiction of Cooper City and or Broward County, not the Town of Davie, as the Rabbi's plat is essentially surrounded by Cooper City. The only nearby roads within the Town of Davie are within the United Ranches neighborhood, recently annexed into the Town (as was the Rabbi's plat). The only one of these roads that even has a connection to Stirling Road is SW 111 Terrace. However, this road is circuitous in its connection to Griffin Road at 106 Avenue, therefore potential for cut through traffic is non-existent. Additionally, as with most, if not all Chabads, the site for the proposed temple was chosen as a locale within easy walking distance for its congregation, as one of their primary traditional beliefs include walking to services instead of driving. Thus the vast majority of the congregation will be walking primarily from the Cooper City developments of Embassy Lakes, Rock Creek and Flamingo Gardens, among others located to the south and west of the site. This further reduces the impacts to the surrounding roads. This delegation request does not negatively impact the surrounding roads that would cause a concurrency issue.

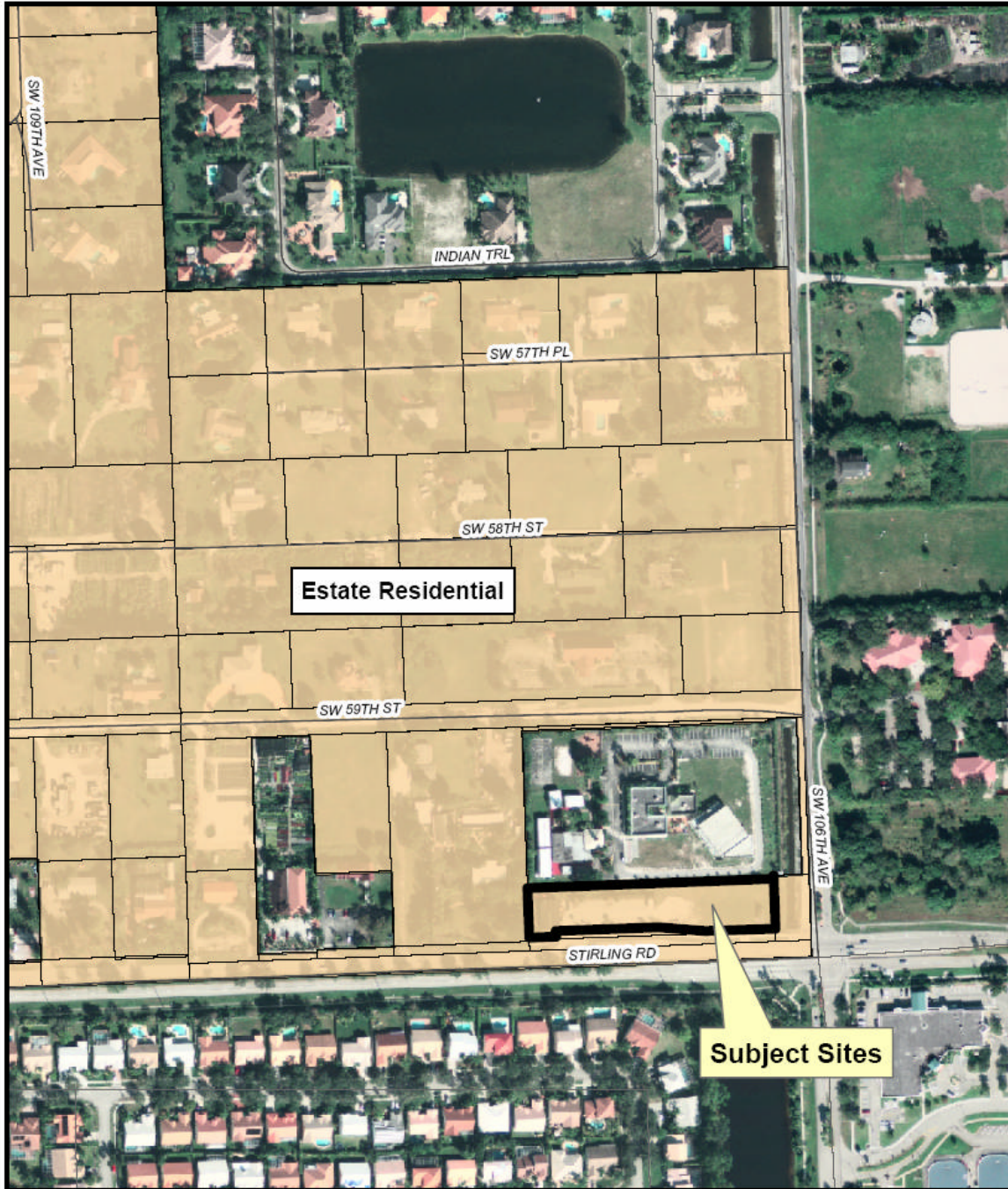
Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

A handwritten signature in blue ink, reading "Hoyt Holden". The signature is fluid and cursive, with the first name "Hoyt" and last name "Holden" clearly distinguishable.

Hoyt Holden, AICP
Director of Planning





Date Flown:
1/2/2009



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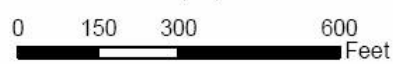
Prepared by the Town of Davie GIS Division

Delegation Request
DG 5-1-09
Future Land Use Map

Prepared by: ID
Date Prepared: 7/28/09



Date Flown:
1/2/2009



Prepared by the Town of Davie GIS Division

Delegation Request
DG 5-1-09
Zoning and Aerial Map

Prepared by: ID
Date Prepared: 7/28/09